

REMARKS

Claims 1 - 22, 24 - 26, and 27(h) have been rejected under 35 U.S.C. § 103(a) as being unpatentable over information considered by the Examiner to be Applicant's admitted prior art in view of U.S. Pat. No. 6,615,190 (Slater). Amended Claim 1 recites a method for administering insurance claims, comprising the steps of receiving a claim, determining a monetary value of the claim, issuing a card representing an account, funding the account with at least a portion of the monetary value, monitoring the activity of the account to obtain information regarding usage of the card, and analyzing the information to determine trends in the usage of the card. This method is not disclosed or suggested by Slater. Slater merely discloses a database which is used to store information related to one or more stored value card accounts. Applicant disagrees with the Examiner's statement that "once information regarding the cardholders transactions is retrieved by the card sponsor, the recited intended uses ... are available to the sponsor." There is nothing disclosed or described in Slater that suggests that the stored information could be used for any purpose, and there is certainly nothing disclosed in Slater that suggests that cardholder transaction information could be analyzed to determine trends in the usage of the cards. Slater makes no mention of any particular use of the transaction information, merely that the information is stored and is available. Applicant submits that Slater therefore does not render the recitation of Claim 1 obvious, and that Claim 1 is believed to be allowable over the references cited by the Examiner.

Claims 2 - 4, and Claims 6 - 20, dependent upon Claim 1, are also believed to be allowable by virtue of Claim 1 being allowable. Moreover, Slater does not disclose or suggest

the use of any information to determine card usage purchase trends, as recited in Claim 2, the use of information to determine the accuracy of the claim determination, as recited in Claim 3, or using information to compare the actual amount spent by the cardholder to cover any damage or loss with the amount of the determined claim value, as recited in Claim 6.

Amended Claim 21 recites a method for adjudicating a claim arising from a covered event, comprising the steps of receiving an insurance claim related to a covered event, determining a monetary value of the claim, establishing an account funded with at least a portion of the monetary value of the claim, obtaining information relating to the use of the account, and organizing the information in a database to be used for analyzing trends related to the use of the account.

This method is not disclosed or suggested by Slater. As described above, Slater merely discloses that cardholder transaction information can be stored and retrieved. Nothing in Slater suggests any particular use for that information and to attribute such use to render Applicant's claims obvious necessarily involves the Examiner's use of hindsight after reading Applicant's disclosure. Claim 21 is therefore believed to be allowable over the cited references. Claims 22 - 25, dependent upon Claim 21, are also believed to be allowable by virtue of Claim 21 being allowable. Moreover, Slater does not suggest that the difference between the actual cost to recover a loss and the determined amount of the claim can be used to determine the accuracy of claim value determination, as recited in Claim 22, or that information could be analyzed to determine statistically significant trends in the use of insurance claim payouts, as recited in Claim 23.

Amended Claim 26 recites a method for paying insurance claims, comprising the steps of receiving a claim from a third party claimant, determining a monetary value of the claim,

issuing a card to the third party claimant, with the card being associated with an account, funding the account with at least a portion of the monetary value, obtaining information relating to the usage of the card by the third party claimant, organizing the information in a database, and analyzing the organized information to determine characteristics in the usage of the card.

This method is also not disclosed or suggested by Slater. As described above with respect to Claims 1 and 21, the mere fact that information related to cardholder transactions is stored does not render obvious any actions, e.g., analysis, that may be taken with respect to the use of such information. The Examiner is inferring that anything that could be done to the stored information is obvious, but this is not a proper evaluation of Slater. Slater is silent with respect to any possible use of the information, and there is nothing disclosed that suggests that any particular action or analysis of Slater's stored information would be contemplated or expected. Claim 26 is therefore believed to be allowable over the cited references. Claim 27 and new Claim 28, dependent upon Claim 26, are also believed to be allowable by Claim 26 being allowable. Additionally, as recited in Claim 28, Slater does not suggest that as a result of analysis of information, the process by which the value of insurance claims are determined is modified.

New Claim 29 recites a method for administering insurance claims, comprising the steps of receiving a plurality of claims, determining monetary values of the claims, issuing cards representing accounts, funding the accounts with at least a portion of the monetary values, monitoring the activity of the accounts to obtain information regarding usage of the cards, and analyzing the information to determine trends in the usage of the cards.

As described above with respect to Claim 1, this method is not shown or suggested by the cited references, and Claim 29 is therefore believed to be allowable.

New Claim 30 recites a method for administering an insurance claim, comprising the steps of issuing a card account to an insurance claimant to receive reimbursement, authorizing an extension of credit equal to the determined monetary value of the insurance claim, collecting information relating to usage of the card account, and analyzing the information to determine trends in the usage of the account.

This method is also not disclosed or suggested by any of the references cited by the Examiner. Slater specifically describes a stored value card that is pre-funded; Slater therefore specifically teaches away from Claim 30 which recites the use of a credit account to satisfy insurance claims. Claim 30, as well as Claims 31 and 32, dependent upon Claim 30, are therefore believed allowable.

For the foregoing reasons, Applicant submits that all claims are now in condition for allowance. Applicant respectfully requests reconsideration and a speedy passage of this application to allowance. If there are any remaining issues that can be addressed telephonically, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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